

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ANGELA DENISE NAILS,

Plaintiff,

V.

CITY OF DOTHAN,

Defendant.

CASE NO.: 1:06-cv-760-WKW  
(WO)

## ORDER

After an independent and *de novo* review of the file, it is the ORDER, JUDGMENT and DECREE of the Court:

- (1) That the objection filed by the plaintiff on September 11, 2006 (Doc. # 6) is  
OVERRULED;
- (2) That the recommendation of the United States Magistrate Judge entered on  
September 6, 2006 (Doc. # 5) is ADOPTED in part and REJECTED in part;
- (3) The recommendation is REJECTED to the extent that this action should be  
DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B), but  
ADOPTED in all other respects;
- (4) This action is hereby DISMISSED **WITHOUT** PREJUDICE pursuant to 28  
U.S.C. § 1915(e)(2)(B).

DONE this 11th day of September, 2006.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE